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	APPLICATION NO.		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
	10/773,760	10/773,760 02/06/2004		Yoshinori Nakagawa	UNIUS-203.1-CIP-US (10401	5583
	24972	7590	08/22/2006		EXAMINER SPISICH, MARK	
	FULBRIGI 666 FIFTH		AWORSKI, LLP			
	NEW YORK, NY 10103-3198				ART UNIT	PAPER NUMBER
					1744	
					DATE MAILED: 08/22/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary 10/773,760		Application No.	Applicant(s)					
Mark Spisich - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. WHICHEVER IS LONGER, I SHOW the production of YC CPR 1, 100 period for reply is specified above, he meantment address production of YC CPR 1, 100 period for reply is specified above, he meantment address production and to the communication. If NO period for reply is specified above, he meantment address prefer do in apply and will eaple SD (5) MONTHS from he mailing date of this communication. If NO period for reply is specified above, he meantment address prefer do in apply and will eaple SD (5) MONTHS from he mailing date of this communication. If NO period for reply is specified above, he meantment address prefer do in apply and will eaple SD (5) MONTHS from he mailing date of this communication. If NO period for reply is specified above, he meantment address prefer he mailing date of this communication, even if smely fleet, near reduces any secret period term adjustment. See 37 CFR 1,704(b). Status 1) □ Responsive to communication(s) filed on		10/773,760	NAKAGAWA ET AL.					
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. and SIX (5) MONTHS from the mailing date of the communication. If No period ray is specified some, the maintern authors period will appear and will appear the mailing date of the communication. Falaries in rays within the set or estended particle for reply will, by statute precified all region will be period for reply share the set or estended particle for reply will, by statute precified all region will be period for the communication. Falaries in rays within the set or estended particle for reply will, by statutes period will reply and well appear (MONTH) from the mailing date of the communication. Falaries in rays within the set or estended particle for reply will, by statutes period will reply and well appear (MONTH) from the mailing date of the communication. Falaries in rays will be set or estended particle for reply will, by statutes period will reply will be period to the communication. The Responsive to communication(s) filled on a construction of the set of the communication. Application is application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-4 is/are pending in the application. 4) Claim(s) 1-4 is/are allowed. 5) Claim(s) 1-4 is/are allowed. 6) Claim(s) 1-4 is/are allowed. 6) Claim(s) 1-4 is/are allowed. 7) Claim(s) 1-4 is/are rejected. 7) Claim(s) 1-4 is/are allowed. 8) Claim(s) 1-4 is/are allowed. 8) Claim(s) 1-4 is/are allowed. 9) The specification is objected to by the Examiner. 10) The drawing(s) filled on 1-4 is/are allowed. 10) The drawing(s) filled on 1-4 is/are allowed. 11) Claim(s) 1-4 is/are allowed. 12) Claim(s) 1-4 is/are allowed. 13) Claim(s) 1-4 is/are allowed. 14) Claim(s) 1-4 is/are allowed. 15) Claim(s) 1-4 is/are allowed. 16) Claim(s)		Mark Spisich	1744					
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2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-4 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1-4 is/are rejected. 7) Claim(s) 1-4 is/are rejected to estriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No. 09/738,007. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Clied (PTO-892) 2) Notice of Dratisperson's Patent Drawing Review (PTO-948) 3) Paper No(s)Mail Date. 1) Notice of Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Information Patent Application (PTO-152) 6) Other: 1 Notice of Otherisperson's Patent Drawing Review (PTO-948) 7) Notice of Information Patent Application (PTO-152) 8) Notice of Otherisperson's Patent Drawing Review (PTO-948) 8) Notice of Otherisperson's Patent Drawing Review (PTO-948) 9) Notice of Otheri	Status							
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Application/Control Number: 10/773,760

Art Unit: 1744

DETAILED ACTION

Priority

- 1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09/738,007, filed on 12/15/2000. Claim Rejections 35 USC § 103
- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over CA 1,285,110 ('110) in view of Sakuma et al (USP 4,691,718) and Suyama (USP 4,944,296). '110 discloses an electronic toothbrush comprising a brush head portion (1) having a bristle portion (1a), holder portion (2), n-type semiconductor (4) (page 10, line 11) as well as a battery (5) (page 10, lines 25-26) electrically connected to the n-type semiconductor. '110 discloses the invention substantially as claimed with the exception of the solar battery and the number of Volts. These "electronic" toothbrushes have been known to be used with batteries of 1.5 Volts (column 3, lines 40-41 of Sakuma et al) as well as either dry or solar batteries (column 1, lines 18-19 of Suyama). Given that '110 discloses the main idea of connected the n-type semiconductor (4) to a battery (5), the use of well known batteries already recognized as useful in these types of brushes would be obvious to one of ordinary skill.

Art Unit: 1744

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Spisich whose telephone number is (571) 272-1278. The examiner can normally be reached on M-Th (5:30-3:00), Alternate Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mark Spisich
Primary Examiner
Art Unit 1744

MS